

REMARKS

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action mailed February 7, 2006. All of the rejections are respectfully traversed. Amendment, reexamination and reconsideration are respectfully requested.

The Office Action

In the Office Action mailed February 7, 2006:

claims 1-3, 5-7 and 10-11 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,389,457 to Lazaridis, et al. ("Lazaridis");

claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of U.S. Patent No. 5,903,845 to Buhrmann, et al. ("Buhrmann");

claims 8-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Buhrmann and further in view of U.S. Patent No. 6,459,913 to Cloutier ("Cloutier");

claims 12-22 were rejected under the same rationale set forth in connection with the rejections of **claims 1-11**, respectively; and

claims 23-33 were rejected under the same rationale set forth in connection with the rejections of **claims 1-11**, respectively.

The Present Application

By way of brief review, the present application is directed toward methods and systems for network initiated event reminder alerting. Directly from a mobile device, a subscriber is able to configure a related subscriber database with event data, alert time data and the like. The entries are monitored and at appropriate alert times, the network (e.g., the mobile phone network) initiates a call (voice or text) to the subscriber's mobile device to remind the subscriber of the event.

The Cited References

In contrast, the primary reference of the Office Action to Lazaridis allegedly discloses a system and method for pushing information from a host system to a mobile data communication device upon sensing a triggering event. A redirector program operating at a host system enables a user to continuously redirect certain user-selected

data items from the host system to the user's mobile data communication device upon detecting the one or more user-defined triggering events has occurred. The redirector program operates in connection with event generating applications and repackaging systems **at a host system** to configure and detect a particular user-defined event and then to repackage the user-selected data items in an electronic wrapper prior to pushing the data items to the mobile device. The host system can be a desktop computer that stores and redirects messages received from a network to the mobile device and also stores and redirects messages received from a mobile device to the network (Abstract).

In this regard, it is respectfully submitted that Lazaridis does not disclose or suggest network initiated reminders as disclosed and claimed in the present application. That is, it is respectfully submitted that any reminder that might be discussed by Lazaridis is generated by the user's desktop computer 10 or "host system."

Additionally, even if messages from the host system of Lazaridis are considered to be network initiated, Lazaridis does not disclose or suggest that the host system includes an event input module operative to receive even data, occurrence data and alert time data from the mobile device or station. Even if Lazaridis indicates that user-selected data items can include calendar events or meeting notifications, Lazaridis does not disclose or suggest that those calendar events or meeting notifications are selected or entered from the mobile device.

Buhrmann allegedly discloses a personal information manager (PIM) for updating a telecommunication subscriber profile. In stark contrast to the systems and methods disclosed in the present application, the system and method discussed in Buhrmann requires the user to have two devices. A personal information manager (PIM) 122 is required to generate profile update data and to transmit profile update data to a database in a telecommunications system (e.g., Abstract). Additionally, the system and methods of Buhrmann require the user to have a telephone such as, for example, mobile station 110 (see FIG. 1) to receive alert messages (e.g., see FIG. 8, element 806).

Cloutier allegedly discloses a unified alerting device and method for alerting a subscriber in a communication network based upon the result of logical functions. It is respectfully submitted that Cloutier does not disclose or suggest an event input module operative to receive event data, occurrence data and alert time data from a mobile station.

The Claims are not Anticipated

Claims 1-3, 5-7 and 10-11 were rejected under 35 U.S.C. 102(b) as being anticipated by Lazaridis.

However, **claim 1**, as originally filed, recited *inter alia*: and event input module operative to receive the event data, the occurrence data and the alert time data from a mobile station and store the event data, the event occurrence data and the alert data in the subscriber database, and an event notification module operative to provide a network-initiated call to the mobile station based on monitoring by the event monitoring module.

In support of the assertion that Lazaridis discloses an event input module such as that recited in **claim 1**, the Office Action directs the attention of the Applicants to reference numeral 10 of FIG. 1, and column 6, line 63 - column 7, line 13. However, reference numeral 10 of FIG. 1 identifies a desktop computer and does not disclose or suggest an event input module operative to receive event data, occurrence data and alert time data from a mobile station. The cited portions of columns 6 and 7 indicate that a user of the system of Lazaridis can configure the redirector program to push certain user selected data items to the user's mobile data communication device. However, it is respectfully submitted that nothing in the cited portions of columns 6 and 7 discloses or suggests that the user may do so from the mobile device. Instead, it is respectfully submitted that Lazaridis indicates that from the mobile device, a user can transmit a command message to begin redirection or to enable a preferred list mode or to add or subtract a particular sender from the preferred list (e.g., column 7, lines 18-23).

For at least the foregoing reasons, **claim 1**, as well as **claims 2-11**, which depend therefrom, is not anticipated in light of Lazaridis.

Additionally, **claim 1** has been amended to recite an event input module associated with a switching center, the event input module being operative to receive the event data, the event occurrence data and the alert time data from a mobile station and store the event data, the event occurrence data and the alert data separably and in association in a subscriber database. It is respectfully submitted that Lazaridis does not disclose or suggest an event input module associated with a switching center or an event input module being operative to store event data, event occurrence data and alert data separably and in association in a subscriber database.

It is respectfully submitted that the amendment to **claim 1** related to the insertion of the phrase --separably and in association-- is supported, for example, in FIG. 3 and in the discussion of separate data elements found, for example, beginning at paragraph 56 (e.g., event data 34, event occurrence data 36 and alert time data 38).

It is respectfully submitted that the amendment to **claim 1** related to the addition of the phrase --a switching center-- is also supported throughout the specification, including, for example, paragraph 51 which indicates that a mobile station sets up an event list and schedule for alerting the mobile station by communicating with a base station which, in turn, communicates this information to the mobile switching center. Paragraph 52 indicates that the present invention may be applied to whatever network component performs the primary switching functions. Paragraph 55 indicates that a mobile switching center includes an event input module, an event monitoring module and an event occurrence module. The event input module is operative to receive the event data, the occurrence data and the alert time data from a mobile station of a subscriber and store the data in a subscriber database.

It is respectfully submitted that the description related to a mobile switching center throughout the present application, and at least the indication in paragraph 52 that the invention may be applied to other primary switching components, clearly supports the recitation of a switching center included by this amendment in **claim 1**.

For at least the foregoing additional reasons, **claim 1**, as well as **claims 2-11**, which depend therefrom, is not anticipated by Lazaridis.

Additionally, with regard to **claim 5**, the Office Action makes reference to an email. However, **claim 5** recites wherein the event occurrence data comprises text data, it is respectfully submitted that email of Lazaridis is unrelated to event occurrence data. For example, in the present application, event occurrence data is discussed, for instance, in paragraph 58.

In explaining the rejection of **claim 6** the Office Action asserts that Lazaridis discloses wherein the subscriber database further includes preference data corresponding to a subscriber preference on a form of alert. In support of this assertion, the Office Action directs the attention of the Applicants to column 6, line 63 - column 7, line 13. However, paragraph 59 of the present application indicates that alert preference data comprises an indication as to a subscriber preference of the form of the alert to provide it to the subscriber. In this regard, the alert preference data comprises

one of an indication of text data or voice data. This information is used by the event notification module 28 when it provides an appropriate notification to a mobile station 12. In this way, the event notification module 28 can be used to provide an audio announcement to the mobile station 12 or a text message to be viewed on the mobile station 12.

While the cited portion of columns 6 and 7 of Lazaridis indicates kinds of information (e.g., email messages, calendar events, stock quotes, etc.), the cited portion of Lazaridis does not disclose or suggest alert preference data corresponding to a subscriber preference on a form of alert.

With regard to **claim 7**, the Office Action directs the attention of the Applicants to column 6, lines 27-35, of Lazaridis. However, the cited portion of column 6 is related to directing different portions or attachments of an email to various devices and is unrelated to providing reminders or to alert preference data comprising one of text data and voice data as recited in **claim 7**.

Arguments similar to those submitted in support of **claims 6** and **7** are submitted in support of **claims 10** and **11**.

For at least the foregoing additional reasons, **claims 5-7, 10 and 11** are not anticipated in view of Lazaridis.

The Claims are not Obvious

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Buhrmann.

However, the Office Action relies on Buhrmann for disclosure of event occurrence data comprising data on a time and date of an event. In support of the assertion that Buhrmann discloses this subject matter, the Office Action directs the attention of the Applicants to column 6, lines 8-33.

However, the cited portion of Buhrmann discusses a subscriber profile database 118 and feature entries 206 associated therewith. The cited portion explains that each feature entry 206 specifies a feature and the timeframe during which the feature is active (column 6, lines 25-26). It is respectfully submitted that these feature activation times are unrelated to the event occurrence data recited in **claim 4**.

FIGS. 4 and 5 of Lazaridis show times associated with meetings. However, FIGS. 4 and 5 show examples of Personal Information Manager (PIM) schedule

displays (column 4, lines 59-60) and are unrelated to event data stored in a subscriber database.

FIG. 6 of Buhrmann allegedly shows an example of a subscriber profile record (column 4, line 62). The subscriber profile record 600 includes an entry 608 related to FEATURE-3. That entry includes a date and time. However, it is respectfully submitted that the date and time associated with entry 608 is an alert time and is not event occurrence data. As explained at column 11, lines 51-56, of Lazaridis, at 3 p.m. on March 1, 1996, the message alert processor 148 will scan the subscriber profile records of database 118 and recognize that, as a result of FEATURE-3 608, the message "meeting room 2B" is scheduled to be sent the mobile station 110. However, it is respectfully submitted that Buhrmann does not disclose or suggest that event occurrence data indicating, for example, when a meeting at meeting room 2B is to occur, is included in the subscriber database.

For at least the foregoing reasons, **claim 4** is not anticipated and is not obvious in light of Lazaridis and Buhrmann taken alone or in any combination.

Claims 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Buhrmann and further in view of Cloutier.

However, **claims 8 and 9** depend from **claim 1** and are not anticipated and are not obvious for at least that reason.

Claims 12-22 were rejected under the same rationale set forth in connection with the rejections of **claims 1-11**, respectively. In this regard, arguments similar to those submitted in support of **claims 1-11** are submitted in support of **claims 12-22**.

Claims 23-33 were rejected under the same rationale set forth in connection with the rejections of **claims 1-11**, respectively. In this regard, arguments similar to those submitted in support of **claims 1-11** are submitted in support of **claims 23-33**.

It is noted that **claims 12 and 23** have been amended in a manner similar to the manner in which **claim 1** has been amended.

Telephone Interview

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 1-33 remain in the application. Claims 1, 12 and 23 have been amended. For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

April 16, 2006
Date



Joseph D. Dreher, Reg. No. 37,123
Thomas Tillander, Reg. No. 47,334
1100 Superior Avenue
Seventh Floor
Cleveland, Ohio 44114-2579
216-861-5582

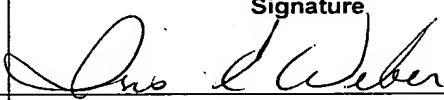
CERTIFICATE OF MAILING OR TRANSMISSION

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

deposited with the United States Postal Service as First Class mail, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.

deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.:	Signature
 April 6, 2006	Printed Name Iris E. Weber

N:\LUTZ\200252\IEW0003882V001.doc